

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**NON-DOCKETED MATTER**

**ORDER NO. 2021-77-H**

**JUNE 11, 2021**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Application of Condor Environmental, Inc. for an Expansion of its Existing Service Area to Include Certain Portions of Spartanburg County and Approval of Agreement and Establishment of Rates and Charges**

**MATTER UNDER CONSIDERATION:**

**Request for Response to Applicability of Statutes Described in Office of Regulatory Staff Letter of June 10, 2021 As Pertaining to the Present Matter**

**CHIEF HEARING OFFICER'S ACTION:**

**Counsel for the Office of Regulatory Staff ("ORS") filed a letter with the Commission on June 10, 2021, containing, among other things, comments with regard to the status of this undocketed matter. ORS counsel stated: "...ORS would note this Application appears to request the establishment of new rates and charges. Therefore, the provisions of S.C. Code Ann. Section 58-5-240, including the thirty days' notice requirement of S.C. Code Ann. Section 58-5-240 (A), also appear to apply to the Application." ORS counsel then cites in a footnote Docket No. 2020-192-S Commission Directive 2020-557 dated August 18, 2020. Prior to taking any further action on this matter, the Commission must determine the applicability of S.C. Code Ann. Section 58-5-240 in general, and Section 58-5-240 (A) in particular. Accordingly, the Commission would request that counsel for Condor Environmental, Inc. file comments with the Commission responding to the ORS counsel's assertions regarding the applicability of the stated statutes to the present matter. The response should be filed with the Commission and served on ORS Counsel and the South Carolina Department of Consumer Affairs by the close of business on Wednesday, June 16, 2021. This completes the Chief Hearing Officer's Directive.**